

**The Nottinghamshire Police and Crime Commissioner's response to the publication of Her Majesty's Inspectorate of Constabulary's (HMIC) - Witness for the prosecution: Identifying victim and witness vulnerability in criminal case files (Nov 2015).**

[The report can be found here](#)

In 2015, HMIC examined the effectiveness of police in providing accurate information of the circumstances of the prosecution case, identifying the vulnerability of victims and witnesses, and assessing and managing risks so that their needs are met effectively. This was the third in a series of inspections of case file quality conducted jointly by HMIC and Her Majesty's Crown Prosecution Service Inspectorate (HMCPPI).<sup>1</sup>

In this inspection HMIC examined practice in all Police forces in England and Wales by examining ten finalised<sup>2</sup> Police case files from each force. Five of the case files selected involved offences where the victim or witness may have been vulnerable by reason of the circumstances of the offence:

- 2 cases of domestic violence/sexual offences
- 2 cases of racially and/or religiously aggravated offences
- 1 case involving a homophobic offence

The other five cases were selected solely on the basis of offence type where the involvement of vulnerable victims or witnesses was not necessarily to be expected. These offences include, for example:

- Assaults
- Burglary
- Robbery
- Public order

<sup>1</sup> The two previous inspection reports are: *Stop the Drift 2 – A Continuing Focus on 21st Century Criminal Justice (a joint review by HMIC and HMCPPI)*, HMIC, London, June 2013, available from [www.justiceinspectorates.gov.uk/hmic/media/stop-the-drift-2-03062013.pdf](http://www.justiceinspectorates.gov.uk/hmic/media/stop-the-drift-2-03062013.pdf) and *Getting Cases Ready for Court – A joint review of the quality of prosecution case files by HMIC and HMCPPI*, HMIC, London, July 2013, available from [www.justiceinspectorates.gov.uk/hmic/media/getting-cases-ready-for-court.pdf](http://www.justiceinspectorates.gov.uk/hmic/media/getting-cases-ready-for-court.pdf)

<sup>2</sup> These are defendant cases charged or summonsed whose case was completed in the magistrates' courts or in the Crown Court between June and August 2014.

HMIC identified that there were areas for improvement.

I welcome this report from HMIC and appreciate the importance of ensuring that quality prosecution files are submitted to the Crown Prosecution Service (CPS). This is why one of the seven Strategic Priorities of my Police and Crime Plan is to 'Improve the efficiency and effectiveness of the criminal justice process'.

I have been closely monitoring a number of measures set for the Chief Constable over a number of years and I am pleased to say that there have been considerable improvements in all measures since this inspection.

I am aware that file quality audits were introduced locally to identify key areas for improvement. These reviews take place quarterly and involve the CPS and local senior police managers. In addition to this all operational supervisors were briefed in 2015 in relation to key quality issues resulting from the recent introduction of Transforming Summary Justice (TSJ). Officers who were identified as requiring further development in this area were provided feedback. A Quality Board was established earlier in 2015 which has file and investigation quality as a priority.

All parties from CPS and HMCTS have also been trained in TSJ. Generally feedback in relation to prosecutors, legal advisers and Court Benches / District Judges is positive which has led to a better managed Court process.

A joint agency LIT, including defence representatives continues to meet regularly to consider how TSJ is operating and to look at performance and to ensure that we can address the issues that arise and any impact.

New processes were introduced in Q3 2015/16 for supervisors under the title of 'Better Case Management' to scrutinise files requiring a wet signature to ensure the file was more closely scrutinised; this has rendered uplift in file quality (FQ).

File Quality audits are still required but at some point (potentially in 2016/17) will be superseded by the National File Quality standard which will compare forces on error rates at certain stages of the file's life and be reported to the NCJB

Yours sincerely

A handwritten signature in black ink, appearing to read "Paddy Tipping". The signature is fluid and cursive, with a prominent initial 'P' and a long, sweeping underline.

Paddy Tipping  
Police and Crime Commissioner

## **ANNEX 1 – FORCE RESPONSE TO ISSUES RAISED**

From a local perspective the Force has made a number of improvements since the inspection was carried out with a real focus upon file quality. The files reviewed relate to cases completed in the Magistrates Court between June and August 2014. The sample size reviewed was of course very small but nevertheless, the feedback helped to identify areas where further improvements could be made.

The following bullet points show a snapshot of some of the work we have been doing.

### **Local developments:**

- File quality audits jointly with CJ and CPS – the learning is being fed into regular Gold File communications
- Regular Prosecution Team Performance Meetings to look at the areas identified as in need of improvement – these have now been regionalised.
- A focus on wet signatures on files to encourage better supervision and quality assurance of files.
- A review of current police training in relation to file quality and changes made to both student and ICIDP training
- Linked to file quality there is greater focus on the quality of investigations and every supervisor has been subject to a discussion about investigation planning and standards – these discussions are followed up on a 1 to 1 basis with a crime manager where the standards fall short of those expected. This has also allowed us to invest time in those individuals in terms of improving performance. This will have had an impact upon prosecution file quality.
- There has been a review of current police training in relation to file quality and changes made to both student and ICIDP training
- All first line supervisors were reminded of the importance of their role and to impress upon them the need for quality investigations and files

### **Some additional points:**

- Our regional results have been better than those represented nationally
- There has been a 20% improvement in case summary and interview summary.
- There is a need to work with partners around the vulnerable and intimidated victims and witness experience.
- Already linking with OPCC services we are in particular examining this through PTPM around Crown Court cases with a lead from the regional Witness Care Manager.

- It is interesting that HMCTS are not part of this inspection but they have such a key role around the experience for victims and witnesses in the process. We are working to try to address this and this has been incorporated into our proposed regional CJB priorities.
- We do welcome the scrutiny and will need to look at specific issues e.g. why vulnerability issues have not been specifically shared between Police and CPS.
- It is also worth noting that the cases reported were all pre Transforming Summary Justice and Better Case Management which should provide more effective identification of issues including vulnerability through earlier discussion with prosecution team.